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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/637,442 | 08/11/2000 | Shannon Lee Korson | 13DV13511 | 7955 |

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EXAMINER

HOMERE, JEAN RAYMOND

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2177

DATE MAILED: 10/22/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary

Application No.

09/637,442

Applicant(s)

KORSON ET AL.

Examiner

Jean R. Homere

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 8-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
2. Claims 1-2, 5, 8-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright et al. (Wright) hereinafter, US Patent No. 6,353,734 in view of Bauer.

As to claim 1, Wright substantially teaches the invention by disclosing a wireless spread spectrum ground link-based aircraft data communication system for engine event reporting (see title et seq.) In particular, Wright teaches the extraction of engine data from a program database located on the aircraft, wherein said data includes aircraft engine input/output data, raw data, compressed data, etc.(col. 2, lines 6-19 et seq.) Wright further teaches exporting the extracted data to a destination database by downloading the extracted engine data to a storage medium located at an airport (col. 2, lines 20-35 et seq.)

Wright indicates that performance of the aircraft and the engine record is accumulated throughout the flight and downloaded to the second computer when the flight is complete after landing (col. 2, lines 21-25 et seq.) In other words, Wright implicitly teaches that the time and

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date after each landing for every flight should also be around the time and date the data is exported between the databases since said data is exported between the two databases for every flight. Wright does not explicitly teach the step of recording the exact date and time of the export. However, Bauer discloses a method for synchronizing databases wherein successful synchronization between the two databases are recorded in an update log (col. 3, lines 60-66; col. 11, lines 65-67 et seq.) It would have been obvious to one of ordinary skill in the art of data processing to combine the teachings of the cited references. Bauer's recording of the time and dates of the updates would allow users of Wright's system to particularly identify when data from the aircraft was downloaded to the ground database.

As to claim 2, Wright teaches the download of accumulated aircraft at the end of each flight thereby updating the ground database only for a new flight when new data has been accumulated. Wright does not particularly teach updating engine data in the ground database for a single flight based upon the indication that the aircraft database has been updated since the last download. Bauer discloses a method for periodically synchronizing databases wherein data from a first database is extracted for export to a second database only if there has been any update to the data in the first database since the last export of data (col. 2 lines 7-12 et seq.) It would have been obvious to one of ordinary skill in the art of data processing to combine the teachings of the cited references. Bauer's teachings would allow users of Wright's system to download engine data to the airport database only upon an update to the data since the last download, and it would therefore avoid unnecessary downloads of data if no change has occurred since the last synchronization.

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Wright and Bauer teach independent claim 5 as explained by claims 1 and 2 above.

Additionally, Bauer teaches the following steps:

“reading an external time file to determine the last date and time that data was successfully exported to said destination database; searching said program database for data that is new or changed since said last successful export” (col. 13 lines 1-8;)

“retrieving data found in searching said program database” (col. 11 lines 29-37;)

“wherein said data ... comprises compressed data” (col. 14 lines 11-13.) Bauer teaches that compressed data is stored in the database.

“exporting said retrieved data to said destination database” (col. 11 lines 49-55;)

“after a successful export, updating said external time file with the date and time of said successful export” (col. 12 lines 4-7 et seq.)

As to claim 8, Bauer teaches the step of “... step of searching said program database comprises searching said flight data table for flight data that is new or modified since said last successful export” (col. 11 lines 29-42 et seq.)

As to claim 9 Bauer teaches the step of “retrieving data from said engine data tables and said flight data tables for each flight data record found in said flight data table” (col. 1 lines 35-41.)

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As to claim 10, Bauer teaches the step of “providing each of said engine data tables and said aircraft engine tables with an indication that data retrieval is completed after said flight data is retrieved from each table” (col. 11 line 63 to col. 12 line 7.)

As to claim 11, Bauer teaches that “said program database includes a process indicator table” (col. 23 lines 18-35 and Bauer col. 24 lines 43-50.) Further, Bauer teaches the step of “searching said program database comprises searching said process indicator table for reprocessed flight data that is changed since said last successful export” (col. 11 lines 29-42.)

As to claim 12, Bauer teaches the step of “retrieving data from said engine data tables and said aircraft data tables for each reprocessed flight data record found in said process indicator table” (col. 11 lines 23-37.)

As to claim 13, Bauer teaches the step of “providing each of said engine data tables and said aircraft engine tables with an indication that data retrieval is completed after said reprocessed flight data is retrieved from each table” (col. 11 line 63 to col. 12 line 7.)

As to step 14, Bauer teaches that “... said program database includes an initialization data table”, and that “... said step of searching said program database comprises searching said initialization data table for initialization data that is changed since said last successful export” (col. 11 lines 29-42.)

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As to claim 15, Bauer teaches the step of “retrieving initialization data found in said initialization data table” at col. 1 lines 35-41.

As to claim 16, Bauer teaches the step of “providing said initialization data table with an indication that data retrieval is completed after said initialization data is retrieved from said initialization table” at col. 11 line 63 to col. 12 line 7.

As to claim 17, Bauer teaches that “said program database includes a compression data table” for searching said program database for compression data that is changed since said last successful export” (col. 11 lines 29-42 et seq.)

As to claim 18, Bauer teaches the step of “retrieving compression data found in said compression data table” (col. 1 lines 35-41 et seq.)

As to claim 19, Bauer teaches the step of “providing said compression data table with an indication that data retrieval is completed after said compression data is retrieved from said compression table” (col. 11 line 63 to col. 12 line 7.)

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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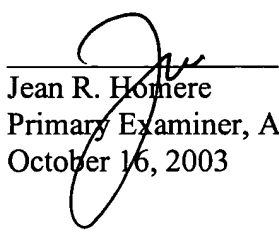
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean R. Homere whose telephone number is (703)-308-6647.

The examiner can normally be reached on Monday-Friday from 09:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on Monday-Friday from 8:00 a.m. to 3:30 p.m. at (703)-305-9790.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 20231, **or faxed to:** (703) 872-9306. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



Jean R. Homere
Primary Examiner, A.U. 2177
October 16, 2003